

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing

NOTICE PIH 2000-48 (HUD)

Special Attention of:
Secretary's Representatives
Senior Community Builders;
All Public Housing Directors;
All Labor Relations Directors

Issued: October 18, 2000

Expires: October 31, 2001

Subject: Federal Labor Standards in Public Housing Programs

Secretary Cuomo has launched Department-wide initiatives to enhance the administration, monitoring and enforcement of Federal prevailing wage requirements in all HUD programs. In Public Housing, these requirements include compliance with Davis-Bacon wage rates for development/modernization work and compliance with prevailing maintenance wage rates for public housing operations. In addition, HUD is undertaking efforts to expand the use of apprenticeship as a means to provide employment and training opportunities for HUD program beneficiaries, particularly Section 3 residents. As an important part of these efforts, HUD is establishing new procedures concerning program office collaboration with, and support for, the Office of Labor Relations (OLR) and its mission. This Notice deals with activities that will be expected of Public Housing field offices and staff regarding these initiatives.

I. Including Federal Labor Standards Factors in Risk Assessment Analyses

Public Housing field staff will include consultation with the OLR field staff in all risk assessment analyses conducted. Areas of consideration will include both Davis-Bacon and maintenance prevailing wage administration and enforcement. From this consultation, Public Housing and Labor Relations field staff will collaborate on the development of Public Housing and OLR annual monitoring and training plans to identify Public Housing Authorities (PHAs) which may benefit from or otherwise warrant labor standards reviews by Public Housing staff, the Army Corps of Engineers (COE) and/or OLR and to assess technical assistance and training needs.

II. Monitoring PHA Compliance

Each field office will ensure that public trust officers in Public Housing have a basic knowledge of Federal labor standards (Davis-Bacon and HUD-determined maintenance wage rates) so that they can effectively assist in monitoring PHA performance with regard to these program requirements. Field offices will receive training and written materials on Federal labor

standards and on PHA responsibilities for labor standards administration and enforcement. Availability of periodic training opportunities and published materials will be forthcoming.

1) **Limited Reviews by Public Housing Staff**

Under the Secretary's initiative, Public Housing staff may be responsible for conducting limited reviews of PHA compliance with Federal labor standards responsibilities. Such limited reviews will be conducted by Public Housing staff where indicated through risk assessment analyses and/or consultation with the Labor Relations field staff. The results of such limited reviews shall be forwarded to the appropriate Labor Relations field staff for evaluation and disposition. Likewise, Labor Relations staff will share with the Public Housing field office copies of reports generated from Labor Relations monitoring reviews of PHAs in that jurisdiction. A standard protocol is being developed for limited reviews and will be distributed to Public Housing field offices.

2) **Reviews by the Army Corps of Engineers (COE)**

Effective immediately, all construction inspections and contract administration reviews performed by the COE on behalf of the Department must include review of the PHA's performance regarding labor standards administration and enforcement. A list of the additional items to report this information is attached with this Notice. Any findings, concerns or other issues arising from the COE reviews in the labor standards performance area must be referred to the Labor Relations staff for resolution. This review requirement must be in place for all COE inspections performed after this date. Accordingly, some work orders already issued to the COE may require modification.

Field Public Housing and Labor Relations staff shall work closely to ensure that any findings, concerns or issues arising from OLR, Public Housing or COE reviews are promptly addressed and resolved by the responsible housing authority.

III. Promoting Apprenticeship in PHA Programs

Another facet of the Secretary's initiatives involves the promotion of apprenticeship throughout all HUD programs. In a recent letter, the Secretary encouraged each PHA to offer apprenticeship training within its own workforce and to actively seek apprenticeship opportunities relative to construction and rehabilitation work at its developments. PHAs are required to advance Section 3 employment and training, and business opportunities, and apprenticeship is an exceptional means of making employment and training available to Section 3 residents on projects subject to prevailing wage rates. Public Housing field offices are expected to let PHAs know that HUD fully supports Section 3 and apprenticeship in this regard. HUD Community Builders are available to assist PHAs in exploring apprenticeship opportunities in their communities.

Any questions concerning this Notice may be raised with Satinder Munjal in the Office of Public Housing at (202)708-0614/Ext. 4196, or Jade Banks in the Office of Labor Relations at (202)708-0370.

/s/

Harold Lucas, Assistant Secretary
for Public and Indian Housing

Attachment

COE - Labor Standards Checklist